

Dhaka, Sunday, September 19, 1993

Hopes for War Tribunal

New hopes have been raised that the UN War Crimes Court that will try those accused of atrocities in the former Yugoslavia may at last start working. The progress has been decidedly slow, but the course now seems set for the process to gain the necessary momentum.

Out of 11 judges who are to set up their court at the Hague, eight have been just elected after four-month balloting by the UN General Assembly, with three remaining seats to be filled by voting on Thursday. The eight so far selected come from United States, Canada, Italy, Egypt, China, France, Malaysia and Australia. It is as broad-based as one could set up for an international court of this kind, the first tribunal since Nuremberg and Tokyo trials held just after the Second World War. The group of eight includes an eminent former Federal Court judge, a black woman from Texas, US who, not surprisingly, scored the highest number of votes among all the candidates for the court.

Far from being a kangaroo court or an exercise in public relations, the proposed tribunal carries a strong international mandate. It was established earlier this year by the UN Security Council in response to calls from concerned nations, including the United States. Then, on last Monday, Sir Robert Jennings, the British head of the World Court at the Hague spoke up again — his earlier statement was issued in April — against the "heinous acts" committed against Bosnian Muslims, thus adding further strength to the UN move. Here, it must be noted that the proposed tribunal will not confine its investigation to the crimes against Bosnian Muslims. It must — and indeed should — look at whatever Bosnian soldiers and even civilians have done to Serbs and Croats. This is part of the exercise that gives the UN move much of its credibility.

Notwithstanding the progress so far made on the project, there are several problems still to be resolved. The first and foremost relates to the appointment of the prosecutor, to be proposed by the UN Secretary General, Boutros Boutros Ghali, but to be approved by the Security Council. The UN Chief's first nomination of an Egyptian lawyer has touched off a controversy on the ground of his nationality. It is unfortunate and, not surprisingly, it has not yet got the endorsement from the Security Council. Ghali will be well advised to offer a new nomination. Unless a prosecutor takes up his post, we may not have a total picture of the terms of references of the proposed court, its modalities, its structure and even the selection of lawyers for the defence. It has been said that the court may impose prison sentences, but not death penalty. Again, sentences are to be served in countries chosen by the court from a list of those offering prison facilities. A major problem lies in collecting evidence which can stand the test of the rule of law, in persuading victims or their relatives to appear as witnesses and in identifying the alleged accused. Both at Nuremberg and at the Tokyo trial, those who were tried were already in the custody of the allied forces. This is not the case with the proposed tribunal for former Yugoslavia. Many of the accused may well be holding high positions in their break-away republics — we know who masterminded the ethnic cleansing and planned other atrocities — protected by their police and armed forces. How can they be persuaded — or forced — to appear before the court? The UN must address this problem with a sense of urgency.

Let everything be done to make this exercise a complete success. The UN owes it to humanity that people who have committed atrocities in former Yugoslavia pay for their crimes under a due process of law. However, the process must be kept separate from peace talks now on in Geneva to settle the Bosnia problem, talks which are said to be making some progress.

Drug's Deadly Grip

A report carried in this newspaper on its national page yesterday says that the number of addicts in Kishoreganj District has swelled to a staggering number of 50,000. The correspondent who sent the report puts the number of drug addicts at 15,000 in Kishoreganj Town but is surprisingly not explicit about the rest 35,000 nor gives any hint of the source of the estimated number. However, he is specific about the various problems arising out of a large-scale drug use or abuse.

Created only a few years back, the district appears to have more than a normal share of the fast-spreading social problem. Other districts may not fare exceptionally well — maybe only comparatively better. If on the other hand, the estimate is even closer to the number given, the district's special predicament should call for an urgent measure because it is no less a SOS situation. Let us take consolation that it is not so critical. Even then, there is no scope for taking the issue lightly, for things are exacerbating — and fast. The rot in society has begun for quite a long time and it has started manifesting its myriad evil faces. Society is fast losing its equilibrium.

The fact that the teen-agers and youths are particularly vulnerable to this newly-acquired self-anihilating vice is a double cause for concern. One thing is not very clear how the liquor, ganja, heroin, spirit, phensidyl and other drugs can be so easily available to the prospective and veteran addicts! The plausible answer to this is that some people have high stake in the business both as a profit-spinning commodity and as a demoralising and sedative substance. The following question naturally comes to one's mind if the profit-mongers are stronger than the administration. After all, the sale of drug is illegal.

Evidently, the clandestine business can continue only with blessings from powerful quarters and with active patronage from their evil proteges. It is unbelievable that if the administration is serious, it cannot stop the illegal substances at their sources or entry point, haul them before reaching the end point of the consumers. The hard fact is that we know we are committing hara-kiri and the seriousness to pull our spirits and resources against drug abuse are simply lacking. We should immediately call the service of our mental and material resources to save the nation from this curse.

ONCE I was asked to single out the most important factor in a successful democratic system of government. My response, upon reflection, was that the peaceful succession of a government, which is voted to power by free and fair elections, was the most important test. There are, of course, other factors such as fundamental human rights, rule of law, equal opportunities for all and equity in distribution of wealth etc. But the proper environment for the enjoyment of these freedoms and rights do not exist if the peaceful succession of a representative government is not ensured. A government which assumes power either by violent means or by subverting the election procedures cannot and almost certainly will not ensure a good government. The democratic rights of the people are never safe in the hands of such regime. Perhaps my experience over the last forty years prompted me to come up with this response. Let me recall, very briefly, what I have seen in all these years.

My first encounter with martial law started with Gen. Ayub Khan who seized power by staging a military coup in 1958. Military rulers are never content to be mere dictators; they all seem to have a longing to be loved and respected. They all want to be seen as the saviour of the nation. I was therefore only natural that Ayub Khan tried to legitimize his rule by introducing the so-called "basic democracy". Eventually he floated his political party and behaved exactly as other politicians though he retained the threat of the gun barely concealed. His regime ended in chaos and instead of constitutional succession we had another military coup. Admittedly it was a bloodless coup but the new ruler, Gen. Yahya Khan, assumed power under martial law. He did not bother to legitimize his power by creating a new political party as he intended to ensure his own position by other means. In the short history of independent Bangladesh we had the first taste of martial law in 1975 after the assassination of Bangabandhu Sheikh Mujibur Rahman. Succession was vio-

Election and Peaceful Succession: A Test for Democratic System of Government

In the olden days, the peaceful transfer of state power was ensured by establishing the principle of hereditary succession. Today, in democratic systems, it is election which determines who rules the country. Election is thus seen as the road to power.

lent. The successor government's sole source of legitimacy was the gun.

Following the footsteps of the earlier military rulers late Ziaur Rahman also initiated an elaborate and time-consuming process of changing the outward appearance of his government. Again, a political party was floated by bringing together a motley collection of deserters and dissidents from other parties as well as old Muslim League members, having lost their political moorings in 1971, had been drifting. Under the vigilant eyes of the military, elections were held and a respectable civilian look was given to what was essentially a military regime. The same tactic was used by Ershad, now languishing in jail on charges of corruption and misuse of power. The succession, in this case also, was violent. It is widely believed that the Sattar interlude was permitted to create the illusion that power was not captured by getting President Zia murdered. But the fake exercise did not deceive the people and despite his nearly nine years in the saddle, Ershad could never get the legitimacy for his regime that he was hankering after. His party, the Jatiyo Dal, like the party launched by his predecessor, was an artificial creation which was conceived, launched and carefully nurtured in the cantonment. Offer of office or money or expectation of other gains was the glue which kept these desperate elements in one party. This process, seemingly endless, has sorely taxed the patience of the people. They rose against Ershad, ignoring the repression and the threat of military intervention. The long suffering people were not prepared any more to put up with rigged elections, rubber stamp Parliaments and the deepening grip of corruption. Luckily for the country, the armed forces,

led by a group of professional soldiers, who recognized the right of the people to choose their rulers, refused to be a tool in the dictator's last desperate bid to cling to power.

In the olden days, the peaceful transfer of state power was ensured by establishing the principle of hereditary succession. This principle worked for a long time in human history. The system did break down from time to time if the heir to the throne was either weak and incompetent or a minor or if the royal offsprings chose to fight for the crown. Today, in democratic systems, it is election and not the accident of birth, which determines who rules the country. Election is thus seen

old dictator's son from power. Mobutu, president of Zaire, is another military dictator who has looted that rich country and reduced it to virtual bankruptcy but he is still clinging to power by using his hold over the armed forces. The case of Gen. Babangida in Nigeria also leaps to mind. He has stepped down from office but most reluctantly and only after unsuccessful manoeuvre to frustrate the election results. Ne Win in neighbouring Burma (renamed Myanmar by the military junta), assumed power by staging a military coup in the sixties but ruled the country with an iron hand for nearly three decades by creating a political party (in the same way as

the balance in its favour. The latest developments in Pakistan where a neutral government was installed to conduct the election should further convince us about the validity of the demand for such a government. Statements by some leaders of the BNP at the recent Council session that it would remain in power for the next twenty five years are most disquieting. Others have attempted to perpetuate their rule by rigging elections and why should we think that the BNP leader was not blurring out the truth? Even if the remark was made as an innocent expression of optimism about BNP's future, it has nonetheless reinforced the misgivings in the opposition circles. Memories are still fresh about the Mirpur-by-election. Has anybody given any plausible explanation about the presence of the Police Commissioner in the Election Commission office? Nobody believes that he was there just for a cup of tea or a chat with the Returning Officer or for maintaining law and order inside the vote counting centre. It has been alleged that Deputy Commissioners and Police Superintendents are appointed these days, not on the basis of service record and seniority but only if they are known to be supporters of the ruling party. Such an attempt to place party supporters in key positions in the administration does not bode well for the future of democracy in Bangladesh. Complaints about the misuse of the anti-terrorist law to harass the opposition activists are too numerous to be dismissed lightly.

In all fairness to BNP, it must be said that it has fought alongside other parties to oust the autocratic regime of Ershad. It supported the popular demand for a fair and free election under a neutral and non-party government. The election held

ON THE RECORD

by Shah AMS Kibria

as the road to power. Small wonder that some unscrupulous and ambitious rulers would try to control and manipulate the election system in order to perpetuate themselves in office. Hence the popular demand for election under a neutral government. It has been seen, time and again, that a government in power in a poor country such as ours can manipulate the levers of power to ensure its victory in the election. The opposition, however popular, does not stand a chance if a determined ruler sets heart on retaining power by hook or crook.

Memories of the long and bitter struggle that the people of the Philippines had to wage to get rid of Marcos have not yet faded. The story of Papa Doc in Haiti is perhaps not very well known in Bangladesh but the people of that unhappy land paid a heavy price to oust the

other generals have done elsewhere which is subservient to him and otherwise subverting the election system. Instances of such attempts by ruling parties or ambitious rulers to hang on to power by any means including rigged elections, are so numerous that it would be naive to ignore the possibility of history repeating itself.

People of Bangladesh must be on guard and for good reasons. We have not, regrettably, been able yet to establish a firm tradition either of peaceful and constitutional succession or fair election. The last election, held under a neutral government, did gain the trust and confidence of the people. We must therefore learn from our experience. A neutral government is the only credible way to ensure that the election will be free and fair and that the levers of power that a party in power can manipulate will not be used to tilt

Where Peace Reigns again in Somalia

Paul Amina writes from Kismayu, Somalia

Around the capital, Mogadishu, Somalia remains in turmoil. Elsewhere it is a different story. In the southernmost region, Jubaland, peace has followed the signing of an accord brokered by the UN. Reconciliation is the order of the day. Roads are being reopened, families reunified, and disarmament is to take place within 90 days. Gemini News Service reports from a brighter corner of the Somali scene.

Somalia



Present was the first President of independent Somalia, 84-year-old Aden Abdulla Osman. He said that, having seen his country disintegrate, he now hoped this was the beginning of an era of peace, trust and friendship.



Most of the ceremony was conducted in the Somali language. One exception was the UN Special Representative, Admiral Jonathan Howe, who said, not surprisingly, that he was "lost for words" to thank the clans who had chosen peace rather than conflict to settle

their differences. How said the UN was trying to repeat the process in other regions of Somalia so that people could govern themselves within two years.

Mohamed Farah Aided, the leader of Somali National Alliance and, for the UN, the current villain of the Somalia scene, was not present. But his arch-rival, Ali Mahdi Mohamed, was there — and was given a standing ovation as he arrived.

The Kismayu agreement stipulates the end of hostilities within 30 days and complete disarmament within 90 days. It promises to prosecute according to Sharia (Islamic) anyone obstructing the accord.

The clans agreed to open all roads in the region, repair them where necessary and remove mines with UN help. To ensure safety on the roads individual communities will be responsible for apprehending bandits or saboteurs. A community or person arresting a bandit will get a two million shilling reward. Reunification of families will take a month. Chiefs and the

police are to ensure the safe return of displaced people. Property will be returned to rightful owners and looters prosecuted. Committees will monitor the ceasefire and ensure its terms are implemented without delay.

Meantime, the message of peace is being disseminated throughout Jubaland through the media and the public is being reminded of the dire conse-

quences of negative politics. The results are already apparent. Telecommunications have been restored, public satellite fax, telephone and telex services are in operation. Somali businessmen are restoring power to the streets of Kismayu and an airline office has been opened.

Despite all the instability in parts of Somalia UN agencies and non-governmental organizations have been at work bringing relief to the Juba Valley River area, which has been flooded. Seeds are being distributed to farmers and help is being given to livestock farmers as part of a \$1.1 million project funded by the Dutch government.

PAUL AMINA made his name for investigative reporting on the now defunct Nairobi 'Sunday Post'. He is now a freelance journalist.

OPINION

Poverty Alleviation the Agricultural Way

It is becoming more and more obvious that poverty alleviation the agricultural way is the most practical and attainable if our politicians, policy planners and bureaucrats come to a consensus.

Over the years we have been led to believe that industrialisation, at the cost of agriculture, should be pursued for our betterment and progress. There were no dearth of prescriptions from donors which incidentally were mostly theoretical and impractical in the Bangladesh context. Our politicians fell for such ideas, either knowingly or unknowingly, and as a result today we are faced with a huge debt servicing liability. Naturally, the donors/lenders gained the most by selling their capital machinery which became obsolete, or were uneconomical in their own environment; incidentally most of the loans were tied, in other words conditions were imposed which outweighed the benefits.

It is sheer commonsense that if the majority of the people prosper, the nation will prosper. The agriculture sector contributes nearly 38 per cent of the GDP of Bangladesh whereas industry contributes a mere 10 per cent, below that of the transport sector at 11.8 per cent. Within the agriculture sector are sub-sectors — Crops, Forestry, Livestock and Fisheries. Unfortunately, our farmers being believers in the traditional methods of farming don't dare take risk on progressive ideas or methods. However, lately with the introduction of mechanised cultivation, fertilizers, pesticides and irrigation during the dry-season, agricultural output has increased to an extent that we are nearly self-sufficient. Since our arable land is limited, the only way to increase agricultural production is by modernising the land use, i.e. irrigation

during the dry season must be extensively encouraged and crop diversification should be taken up at the same time. Government must ensure through price mechanisms that farmers make profit out of their products, otherwise they will not feel encouraged to produce more than what is needed for their own use.

A State Trading Agriculture Board with wide ranging powers should be established to accomplish the following goals:

- 1) To develop agriculture and its sub-sectors on a "business" footing.
- 2) To maximize agricultural outputs.
- 3) To export agricultural products.
- 4) To encourage and develop a linkage between the agricultural sector and the industrial sector where either the primary product or bi-product/products act as inputs to the manufacturing sectors, involved in domestic/international markets.
- 5) To achieve and sustain a regular pre-determined GDP growth.

It has been proved beyond doubt that the 'poor' are more bankable than the 'rich'. The Grameen Bank/BRAC, other NGOs have proved this point beyond any doubt. The Government should encourage financial institutions to invest a certain portion of their loanable funds to the agricultural sector thereby eliminating the 'loan sharks' who are systematically exploiting the poor farmers to the detriment of the economy.

I feel our country's future lies with the changing of the lot of people involved with agriculture vis-a-vis the farmers, and a long-term programme must be adopted and pursued with utmost sincerity rather than in rhetoric.

Afzalur Rahman
Dhanmondi, Dhaka.

To the Editor...

Letters for publication in these columns should be addressed to the Editor and legibly written or typed with double space. For reasons of space, short letters are preferred, and all are subject to editing and cuts. Pseudonyms are accepted. However, all communications must bear the writer's real name, signature and address.

Our students and our future

Sir, As a guardian of varsity-going children, I must thank Mr Kibria for his article of 5th Sept. I note with satisfaction that he has given due stress on 'Are we really concerned?'. In conclusion he has given certain direction for overhauling the situation. I hope someone somewhere that matters would heed to his suggestions with open mind free from party bias, as he has stressed.

Was it just a coincidence that a reader in a letter in the same page questioned the right of Sheikh Hasina to preach something that she does not practice? But it is true that children of most leaders are studying abroad. Even those of senior bureaucrats. The second part in the title of Mr Kibria's article is really significant. Sheikh Hasina may have an explanation that the killers of her parents and brothers are still a real threat to her own family (as well as to the freedom loving citi-

zens). But for others the only reasoning is their lack of faith in their own country or system.

M A Haq
Green Road, Dhaka.

Vandalism in playgrounds

Sir, Allow me to ventilate my wrath and anguish about vandalism we see almost in every aspect of our life.

I have crossed 69 years. I kicked off a small size No. 2 football in the year 1933-1934 in Ramna Maidan which is now occupied by Dhaka Medical College. Since then, I have been playing all sorts of games. I used to represent City College School-XI, Calcutta in the I.S.S.A. between 1937-1941.

I have been Chairman, Bangladesh Amateur Athletic Federation (BAAF) till 1985 and Vice-Chairman, Bangladesh Tennis Federation for many years. I enjoy four miles brisk walk six days a week and even now play tennis 3-4 evenings in

a week. My son has been a well-known tennis champion (in the then East Pakistan and now Bangladesh) for many years.

Seven/eight years ago, like many other afternoons/evenings, I was enjoying a very exciting match between Mohammedan Sporting and Abahani. Suddenly a free-for-all fighting started in the playground which spread over to the fans in the gallery. Brickbats, stones, even oranges (looted from the hawkers), all kinds of handy missiles started being hurled at. We — my daughter, son and myself — rushed out for safety in great panic. On that very moment I swore, that was my last football match to be witnessed in an uncivilised setting.

As a senior citizen, may I ask, should editors, correspondents and reporters only go on showing how angry they are? But all these have been of no avail to stop vandalism in playgrounds.

Shall we rest contented at that? Can we not persuade authorities and club managers with an advice to stop all Mohammedan Sporting and Abahani matches in football and hockey, for at least one year. They may be advised to keep themselves fully engaged and keep in form only in various exhibition matches all over Bangladesh and perhaps rest of the world and save Dhaka foot-

ball viewers from brick bats and other threats to life.

May be you can also suggest the viewers of Mohammedan Sporting and Abahani football and hockey matches to swear that henceforth as civilised people they will behave!

Why don't you take up a lead in building public opinion for some drastic remedies for such disgraceful diseases we are suffering from?

Salahuddin Ahmed
Ispahani Colony, Maghbazar, Dhaka

Lalmatia roads

Sir, The roads starting from Lalmatia Block A to Block E, about four square miles, happen to be in most pitiable state. Anyone travelling through these roads will agree that probably there isn't anyone to look into the sorrowful affairs.

It may be mentioned that there are about a dozen or more high schools and colleges in addition to more than eight primary schools in this locality; some of them run by the government. Yet there doesn't seem to be anyone to let the young and old feel someone really cares.

Will the concerned authority please repair the roads without any further delay?

Begum Nadira Banoo
DRA, Dhaka